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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,364	09/25/2003	Jong Woog Lee	7989.012.00-US	3365

7590 04/20/2004
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
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EXAMINER

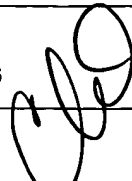
LEUNG, PHILIP H

ART UNIT PAPER NUMBER

3742

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/669,364	Applicant(s) LEE, JONG WOOG	
	Examiner Philip H Leung	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-19 is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 7 and 14 is/are rejected.
- 7) ☒ Claim(s) 4, 5 and 8-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The drawings were received on 9-25-2003. These drawings are acceptable.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6 and 7 are rejected under 35 U.S.C. 103(a) as being obvious over Choi et al (US 2002/0070212), in view of Ishikawa (JP 3-39524) or Loch (US 3,086,511).

Choi shows a microwave oven with a toaster having every feature and structure as claimed except for the use of a door lock for holding the toaster door. More specifically, Choi shows "a microwave oven with a toaster comprising: a main case 110 forming an outer shape; a cavity 112 in the main case for cooking food therein with a microwave; an electronic chamber 200 in one side part of the main case having different electronic components 210, 212 for providing the microwave to an inside of the cavity, and a toaster 100 comprising, a toaster case 102 in front of the electronic chamber 200 having slits 102c in opposite sides respectively, a tray assembly 120 mounted on the slits of the toaster case for introducing/taking out pieces of bread into/out of the toaster, a heater assembly 140 in the toaster case for heating the pieces of bread, a toaster door 130 on the toaster case and a power source device for supplying power to the heater assembly" (see Figures 2-8 and paragraphs [0029] – [0050]). Ishikawa shows a

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microwave oven in combination with a toaster having a door with a locking device (see the English abstract and Figures 1 and 2). Loch also shows that the use of a latching mechanism with a spring and a lever on the door of a toaster to lock the door during a toasting operation to be well known in the art (see Figures 1-4 and col. 3, line 38 – col. 4, line 26). It would have been obvious to one of ordinary skill in the art to modify Choi to use a lock to keep the toaster closed during a bread toasting operation for better safety, in view of the teaching of Ishikawa or Loch. In regard to claims 6 and 7, the use of a switch to control the opening/closing of the door is shown by Ishikawa. The exact arrangement would have been a mere engineering expedience obvious to an ordinary skill in the art.

4. Claims 1 and 14 are rejected under 35 U.S.C. 103(a) as being obvious over Back et al (US 2003/0042252), in view of Ishikawa (JP 3-39524).

Back shows a microwave oven with a toaster having every feature and structure as claimed except for the use of a door lock for holding the toaster door. More specifically, as shown in Figures 2-8 and paragraphs [0043] – [0059], Back shows “a microwave oven with a toaster comprising: a main case 27 forming an outer shape; a cavity 22 in the main case for cooking food therein with a microwave; an electronic chamber 23 in one side part of the main case having different electronic components for providing the microwave to an inside of the cavity, and a toaster 30 comprising, a toaster case 50 in front of the electronic chamber 23 having slits 54 in opposite sides respectively, a tray assembly T mounted on the slits of the toaster case for introducing/taking out pieces of bread into/out of the toaster, a heater assembly 110 in the toaster case for heating the pieces of bread, a toaster door 40 on the toaster case and a power

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source device for supplying power to the heater assembly and also the claimed “heat insulating film of claim 14 for preventing transmission of heat from the heat assembly to the toaster door and the front panel itself” (see element and 65 paragraph [0054]). Ishikawa shows a microwave oven in combination with a toaster having a door with a locking device (see the English abstract and Figures 1 and 2). It would have been obvious to one of ordinary skill in the art to modify Back to use a lock to keep the toaster closed during a bread toasting operation for better safety, in view of the teaching of Ishikawa.

5. Claims 15-19 are allowed.

6. Claims 4, 5 and 8-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

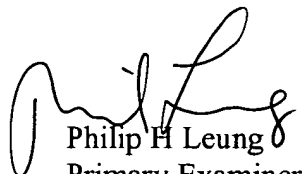
Tsunekawa et al (US 4,982,063) is further cited to show a microwave oven with a door locking device.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip H Leung whose telephone number is (703) 308-1710.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Pothier can be reached on (703) 308-0265. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Philip H Leung
Primary Examiner
Art Unit 3742

P.Leung/pl
4-16-2004